

## [COMMITTEE PRINT]

MAY 13, 2004

### [Showing the Amendment Adopted by the Subcommittee on 21st Century Competitiveness]

108TH CONGRESS  
2D SESSION

# H. R. 4278

To amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 5, 2004

Mr. McKEON (for himself and Mr. BOEHNER) introduced the following bill;  
which was referred to the Committee on Education and the Workforce

[Strike out all after the enacting clause and insert the part printed in italic]

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## A BILL

To amend the Assistive Technology Act of 1998 to support programs of grants to States to address the assistive technology needs of individuals with disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*



1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Improving Access to  
3 Assistive Technology for Individuals with Disabilities Act  
4 of 2004”.

5 **SEC. 2. AMENDMENT TO THE ASSISTIVE TECHNOLOGY ACT**  
6 **OF 1998.**

7 The Assistive Technology Act of 1998 (29 U.S.C.  
8 3001 et seq.) is amended to read as follows:

9 **“SEC. 1. SHORT TITLE; TABLE OF CONTENTS.**

10 “(a) **SHORT TITLE.**—This Act may be cited as the  
11 ‘Assistive Technology Act of 1998’.

12 “(b) **TABLE OF CONTENTS.**—The table of contents  
13 for this Act is as follows:

“Sec. 1. Short title; table of contents.

“Sec. 2. Findings and purposes.

“Sec. 3. Definitions.

“Sec. 4. Grants to States for purchase of assistive technology devices and as-  
sistive technology services.

“Sec. 5. Grants to States for protection and advocacy related to assistive tech-  
nology.

“Sec. 6. Administrative provisions.

“Sec. 7. National activities.

“Sec. 8. Authorization of appropriations.

14 **“SEC. 2. FINDINGS AND PURPOSES.**

15 “(a) **FINDINGS.**—Congress finds the following:

16 “(1) Disability is a natural part of the human  
17 experience and in no way diminishes the right of in-  
18 dividuals to—

19 “(A) live independently;

20 “(B) enjoy self-determination and make  
21 choices;



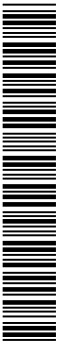
1                   “(C) benefit from an education;

2                   “(D) pursue meaningful careers; and

3                   “(E) enjoy full inclusion and integration in  
4                   the economic, political, social, cultural, and edu-  
5                   cational mainstream of society in the United  
6                   States.

7                   “(2) Technology is one of the primary engines  
8                   for economic activity, education, and innovation in  
9                   the Nation, and throughout the world. The commit-  
10                  ment of the United States to the development and  
11                  utilization of technology is one of the main factors  
12                  underlying the strength and vibrancy of the economy  
13                  of the United States.

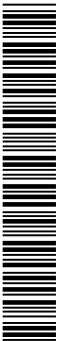
14                  “(3) As technology has come to play an increas-  
15                  ingly important role in the lives of all persons in the  
16                  United States, in the conduct of business, in the  
17                  functioning of government, in the fostering of com-  
18                  munication, in the conduct of commerce, and in the  
19                  provision of education, its impact upon the lives of  
20                  individuals with disabilities in the United States has  
21                  been comparable to its impact upon the remainder  
22                  of the citizens of the United States. Any develop-  
23                  ment in mainstream technology would have profound  
24                  implications for individuals with disabilities in the  
25                  United States.



1           “(4) Over the last 15 years, the Federal Gov-  
2           ernment has invested in the development of state-  
3           wide comprehensive systems to help individuals with  
4           disabilities gain access to assistive technology devices  
5           and services. This partnership with States provided  
6           an important service to individuals with disabilities  
7           by strengthening the capacity of each State to assist  
8           individuals with disabilities of all ages with their as-  
9           sistive technology needs.

10           “(5) Substantial progress has been made in the  
11           development of assistive technology devices, includ-  
12           ing adaptations to existing devices that facilitate ac-  
13           tivities of daily living, that significantly benefit indi-  
14           viduals with disabilities of all ages. These devices  
15           and adaptations increase the involvement, and re-  
16           duce expenditures associated with, programs and ac-  
17           tivities that facilitate communication, ensure inde-  
18           pendent living and functioning, enable early child-  
19           hood development, support educational achievement,  
20           provide and enhance employment options, and enable  
21           full participation in community living and recreation  
22           for individuals with disabilities.

23           “(6) Despite the success of the Federal-State  
24           partnership in providing access to assistive tech-  
25           nology and services, there is a continued need to



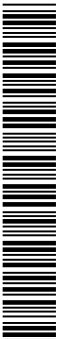
1 provide information about the availability of assistive  
2 technology, advances in improving accessibility and  
3 functionality of assistive technology, and appropriate  
4 methods to secure and utilize assistive technology in  
5 order to maximize their independence and participa-  
6 tion of individuals with disabilities in society.

7 “(b) PURPOSES.—The purposes of this Act are—

8 “(1) to support State efforts to improve the  
9 provision of assistive technology to individuals with  
10 disabilities through comprehensive statewide pro-  
11 grams of technology-related assistance, for individ-  
12 uals with disabilities of all ages, that are designed  
13 to—

14 “(A) increase the availability of, funding  
15 for, access to, provision of, and training about  
16 assistive technology devices and assistive tech-  
17 nology services;

18 “(B) increase the ability of individuals  
19 with disabilities of all ages to secure and main-  
20 tain possession of assistive technology devices  
21 as such individuals make the transition between  
22 services offered by human service agencies or  
23 between settings of daily living (for example,  
24 between home and work);

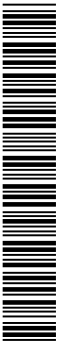


1           “(C) increase the capacity of public agen-  
2           cies and private entities to provide and pay for  
3           assistive technology devices and assistive tech-  
4           nology services on a statewide basis for individ-  
5           uals with disabilities of all ages;

6           “(D) increase the involvement of individ-  
7           uals with disabilities and, if appropriate, their  
8           family members, guardians, advocates, and au-  
9           thorized representatives, in decisions related to  
10          the provision of assistive technology devices and  
11          assistive technology services;

12          “(E) increase and promote coordination  
13          among State agencies, between State and local  
14          agencies, among local agencies, and between  
15          State and local agencies and private entities  
16          (such as managed care providers), that are in-  
17          volved or are eligible to be involved in carrying  
18          out activities under this Act;

19          “(F) increase the awareness and facilitate  
20          the change of laws, regulations, policies, prac-  
21          tices, procedures, and organizational structures,  
22          that facilitate the availability or provision of as-  
23          sistive technology devices and assistive tech-  
24          nology services; and



1           “(G) increase awareness and knowledge of  
2           the benefits of assistive technology devices and  
3           assistive technology services among targeted in-  
4           dividuals and the general population; and

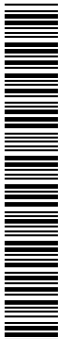
5           “(2) to provide States with financial assistance  
6           that supports programs designed to maximize the  
7           ability of individuals with disabilities and their fam-  
8           ily members, guardians, advocates, and authorized  
9           representatives to obtain assistive technology devices  
10          and assistive technology services.

11   **“SEC. 3. DEFINITIONS.**

12          “In this Act:

13           “(1) **ADVOCACY SERVICES.**—The term ‘advocacy services’, except as used as part of the term  
14           ‘protection and advocacy services’, means services  
15           provided to assist individuals with disabilities and  
16           their family members, guardians, advocates, and au-  
17           thorized representatives in accessing assistive tech-  
18           nology devices and assistive technology services.

19           “(2) **AMERICAN INDIAN CONSORTIUM.**—The  
20           term ‘American Indian Consortium’ has the meaning  
21           given the term in section 102(1) of the Develop-  
22           mental Disabilities Assistance and Bill of Rights Act  
23           of 2000 and that is established to provide protection  
24



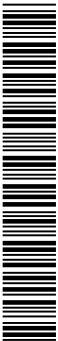
1 and advocacy services for purposes of receiving fund-  
2 ing under subtitle C of title I of such Act.

3 “(3) ASSISTIVE TECHNOLOGY.—The term ‘as-  
4 sistive technology’ means technology designed to be  
5 utilized in an assistive technology device or assistive  
6 technology service.

7 “(4) ASSISTIVE TECHNOLOGY DEVICE.—The  
8 term ‘assistive technology device’ means any item,  
9 piece of equipment, or product system, whether ac-  
10 quired commercially, modified, or customized, that is  
11 used to increase, maintain, or improve functional ca-  
12 pabilities of individuals with disabilities.

13 “(5) ASSISTIVE TECHNOLOGY SERVICE.—The  
14 term ‘assistive technology service’ means any service  
15 that directly assists an individual with a disability in  
16 the selection, acquisition, or use of an assistive tech-  
17 nology device. Such term includes—

18 “(A) the evaluation of the assistive tech-  
19 nology needs of an individual with a disability,  
20 including a functional evaluation of the impact  
21 of the provision of appropriate assistive tech-  
22 nology and appropriate services to the indi-  
23 vidual in the customary environment of the in-  
24 dividual;





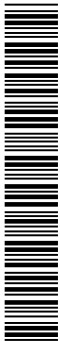
1           “(B) services consisting of purchasing,  
2           leasing, or otherwise providing for the acquisi-  
3           tion of assistive technology devices by individ-  
4           uals with disabilities;

5           “(C) services consisting of selecting, de-  
6           signing, fitting, customizing, adapting, apply-  
7           ing, maintaining, repairing, or replacing assist-  
8           ive technology devices;

9           “(D) coordination and use of necessary  
10          therapies, interventions, or services with assist-  
11          ive technology devices, such as therapies, inter-  
12          ventions, or services associated with education  
13          and rehabilitation plans and programs;

14          “(E) training or technical assistance for an  
15          individual with disabilities, or, where appro-  
16          priate, the family members, guardians, advo-  
17          cates, or authorized representatives of such an  
18          individual; and

19          “(F) training or technical assistance for  
20          professionals (including individuals providing  
21          education and rehabilitation services), employ-  
22          ers, or other individuals who provide services to,  
23          employ, or are otherwise substantially involved  
24          in the major life functions of individuals with  
25          disabilities.

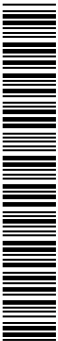


1           “(6) CAPACITY BUILDING AND ADVOCACY AC-  
2           TIVITIES.—The term ‘capacity building and advo-  
3           cacy activities’ means efforts that—

4                   “(A) result in laws, regulations, policies,  
5                   practices, procedures, or organizational struc-  
6                   tures that promote consumer-responsive pro-  
7                   grams or entities; and

8                   “(B) facilitate and increase access to, pro-  
9                   vision of, and funding for, assistive technology  
10                  devices and assistive technology services,  
11                  in order to empower individuals with disabilities to  
12                  achieve greater independence, productivity, and inte-  
13                  gration and inclusion within the community and the  
14                  workforce.

15           “(7) COMPREHENSIVE STATEWIDE PROGRAM OF  
16           TECHNOLOGY-RELATED ASSISTANCE.—The term  
17           ‘comprehensive statewide program of technology-re-  
18           lated assistance’ means a consumer-responsive pro-  
19           gram of technology-related assistance for individuals  
20           with disabilities, implemented by a State, and equal-  
21           ly available to all individuals with disabilities resid-  
22           ing in the State, regardless of their type of dis-  
23           ability, age, income level, or location of residence in  
24           the State, or the type of assistive technology device  
25           or assistive technology service required.



1           “(8) CONSUMER-RESPONSIVE.—The term ‘con-  
2           sumer-responsive’—

3           “(A) with regard to policies, means that  
4           the policies are consistent with the principles  
5           of—

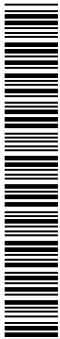
6                   “(i) respect for individual dignity, per-  
7                   sonal responsibility, self-determination, and  
8                   pursuit of meaningful careers, based on in-  
9                   formed choice, of individuals with disabili-  
10                  ties;

11                   “(ii) respect for the privacy, rights,  
12                   and equal access (including the use of ac-  
13                   cessible formats) of such individuals;

14                   “(iii) inclusion, integration, and full  
15                   participation of such individuals in society;

16                   “(iv) support for the involvement in  
17                   decisions of a family member, a guardian,  
18                   an advocate, or an authorized representa-  
19                   tive, if an individual with a disability re-  
20                   quests, desires, or needs such involvement;  
21                   and

22                   “(v) support for individual and sys-  
23                   tems advocacy and community involve-  
24                   ment; and



1 “(B) with respect to an entity, program, or  
2 activity, means that the entity, program, or  
3 activity—

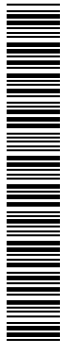
4 “(i) is easily accessible to, and usable  
5 by, individuals with disabilities and, when  
6 appropriate, their family members, guard-  
7 ians, advocates, or authorized representa-  
8 tives;

9 “(ii) responds to the needs of individ-  
10 uals with disabilities in a timely and appro-  
11 priate manner; and

12 “(iii) facilitates the full and meaning-  
13 ful participation of individuals with disabil-  
14 ities (including individuals from underrep-  
15 resented populations and rural popu-  
16 lations) and their family members, guard-  
17 ians, advocates, and authorized representa-  
18 tives, in—

19 “(I) decisions relating to the pro-  
20 vision of assistive technology devices  
21 and assistive technology services to  
22 such individuals; and

23 “(II) decisions related to the  
24 maintenance, improvement, and eval-  
25 uation of the comprehensive statewide



1 program of technology-related assist-  
2 ance, including decisions that affect  
3 capacity building and advocacy activi-  
4 ties.

5 “(9) DISABILITY.—The term ‘disability’ means  
6 a condition of an individual that is considered to be  
7 a disability or handicap for the purposes of any Fed-  
8 eral law other than this Act or for the purposes of  
9 the law of the State in which the individual resides.

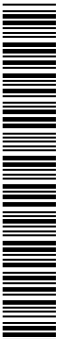
10 “(10) INDIVIDUAL WITH A DISABILITY; INDIVIDUALS WITH DISABILITIES.—

12 “(A) INDIVIDUAL WITH A DISABILITY.—  
13 The term ‘individual with a disability’ means  
14 any individual of any age, race, or ethnicity—

15 “(i) who has a disability; and

16 “(ii) who is or would be enabled by an  
17 assistive technology device or an assistive  
18 technology service to minimize deteriora-  
19 tion in functioning, to maintain a level of  
20 functioning, or to achieve a greater level of  
21 functioning in any major life activity.

22 “(B) INDIVIDUALS WITH DISABILITIES.—  
23 The term ‘individuals with disabilities’ means  
24 more than one individual with a disability.



1 “(11) INSTITUTION OF HIGHER EDUCATION.—

2 The term ‘institution of higher education’ has the  
3 meaning given such term in section 101 of the High-  
4 er Education Act of 1965 (20 U.S.C. 1141(a)), and  
5 includes a community college receiving funding  
6 under the Tribally Controlled Community College  
7 Assistance Act of 1978 (25 U.S.C. 1801 et seq.).

8 “(12) PROTECTION AND ADVOCACY SERV-  
9 ICES.—The term ‘protection and advocacy services’  
10 means services that—

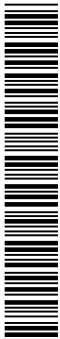
11 “(A) are described in part C of the Devel-  
12 opmental Disabilities Assistance and Bill of  
13 Rights Act (42 U.S.C. 6041 et seq.), the Pro-  
14 tection and Advocacy for Mentally Ill Individ-  
15 uals Act of 1986 (42 U.S.C. 10801 et seq.), or  
16 section 509 of the Rehabilitation Act of 1973;  
17 and

18 “(B) assist individuals with disabilities  
19 with respect to assistive technology devices and  
20 assistive technology services.

21 “(13) SECRETARY.—The term ‘Secretary’  
22 means the Secretary of Education.

23 “(14) STATE.—

24 “(A) IN GENERAL.—Except as provided in  
25 subparagraph (B), the term ‘State’ means each



1 of the several States of the United States, the  
2 District of Columbia, the Commonwealth of  
3 Puerto Rico, the United States Virgin Islands,  
4 Guam, American Samoa, and the Common-  
5 wealth of the Northern Mariana Islands.

6 “(B) OUTLYING AREAS.—In sections 4(c)  
7 and 5(b):

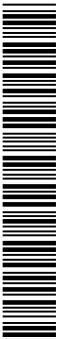
8 “(i) OUTLYING AREA.—The term ‘out-  
9 lying area’ means the United States Virgin  
10 Islands, Guam, American Samoa, and the  
11 Commonwealth of the Northern Mariana  
12 Islands.

13 “(ii) STATE.—The term ‘State’ does  
14 not include the United States Virgin Is-  
15 lands, Guam, American Samoa, and the  
16 Commonwealth of the Northern Mariana  
17 Islands.

18 “(15) TARGETED INDIVIDUALS.—The term  
19 ‘targeted individuals’ means—

20 “(A) individuals with disabilities of all ages  
21 and their family members, guardians, advo-  
22 cates, and authorized representatives;

23 “(B) individuals who work for public or  
24 private entities (including insurers or managed



1 care providers), that have contact with individ-  
2 uals with disabilities;

3 “(C) educators and related services per-  
4 sonnel;

5 “(D) technology experts (including engi-  
6 neers);

7 “(E) health and allied health professionals;

8 “(F) employers; and

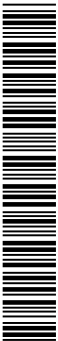
9 “(G) other appropriate individuals and en-  
10 tities.

11 “(16) TECHNOLOGY-RELATED ASSISTANCE.—

12 The term ‘technology-related assistance’ means as-  
13 sistance provided through capacity building and ad-  
14 vocacy activities that accomplish the purposes de-  
15 scribed in any of subparagraphs (A) through (G) of  
16 section 2(b)(1).

17 “(17) UNDERREPRESENTED POPULATION.—

18 The term ‘underrepresented population’ means a  
19 population that is typically underrepresented in serv-  
20 ice provision, and includes populations such as per-  
21 sons who have low-incidence disabilities, persons who  
22 are minorities, poor persons, persons with limited-  
23 English proficiency, older individuals, or persons  
24 from rural areas.





1           “(18) UNIVERSAL DESIGN.—The term ‘uni-  
2       versal design’ means a concept or philosophy for de-  
3       signing and delivering products and services that are  
4       usable by people with the widest possible range of  
5       functional capabilities, which include products and  
6       services that are directly usable (without requiring  
7       assistive technologies) and products and services  
8       that are made usable with assistive technologies.

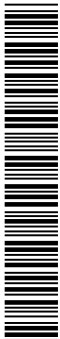
9   **“SEC. 4. GRANTS TO STATES FOR PURCHASE OF ASSISTIVE**  
10                   **TECHNOLOGY DEVICES AND ASSISTIVE TECH-**  
11                   **NOLOGY SERVICES.**

12       “(a) GRANTS TO STATES.—The Secretary shall  
13       award grants, in accordance with this section, to States  
14       to maintain comprehensive statewide programs of tech-  
15       nology related assistance to support programs that are de-  
16       signed to maximize the ability of individuals with disabil-  
17       ities and their family members, guardians, advocates, and  
18       authorized representatives to obtain assistive technology  
19       devices and assistive technology services.

20       “(b) USE OF FUNDS.—

21           “(1) IN GENERAL.—

22                   “(A) REQUIRED ACTIVITY.—Except as pro-  
23                   vided in subparagraph (C), any State that re-  
24                   ceives a grant under this section shall use a  
25                   portion of the funds made available through the



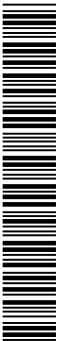
1 grant to carry out the activities described in  
2 subparagraphs (A) and (B) of paragraph (2).

3 “(B) DISCRETIONARY ACTIVITIES.—Any  
4 State that receives a grant under this section  
5 may use the funds made available through the  
6 grant to carry out the activities described in  
7 subparagraph (C) or (D) of paragraph (2).

8 “(C) SPECIAL RULE.—Any State which  
9 provides financial support for the activities de-  
10 scribed in subparagraph (A) or (B) of para-  
11 graph (2) from State or other resources shall  
12 not be required to expend the funds provided  
13 under the grant to carry out the activities de-  
14 scribed in subparagraph (A) or (B), as the case  
15 may be. Such financial support shall be com-  
16 parable to the amount of the grant the State  
17 would otherwise have expended for such activi-  
18 ties.

19 “(2) STATE-LEVEL ACTIVITIES.—

20 “(A) STATE FINANCE SYSTEMS.—The  
21 State shall support activities to increase access  
22 to, and funding for, assistive technology devices  
23 and assistive technology services, including the  
24 development of systems to provide assistive  
25 technology devices and assistive technology



1 services to individuals with disabilities of all  
2 ages, and that pay for such devices and serv-  
3 ices, such as—

4 “(i) the development of systems for  
5 the purchase, lease, other acquisition, or  
6 payment for the provision of assistive tech-  
7 nology devices and assistive technology  
8 services; or

9 “(ii) the establishment of alternative  
10 State or privately funded systems of sub-  
11 sidies for the provision of assistive tech-  
12 nology devices or assistive technology serv-  
13 ices, such as—

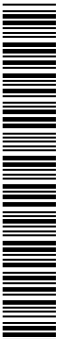
14 “(I) a low-interest loan fund;

15 “(II) an interest buy-down pro-  
16 gram;

17 “(III) a revolving loan fund;

18 “(IV) a loan guarantee or insur-  
19 ance program;

20 “(V) a program operated by a  
21 partnership among private entities for  
22 the purchase, lease, or other acquisi-  
23 tion of assistive technology devices or  
24 assistive technology services; or

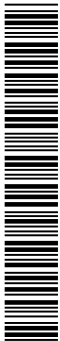


1                   “(VI) another mechanism ap-  
2                   proved by the Secretary.

3                   “(B) DEVICE LOAN PROGRAMS.—The  
4                   State shall directly, or in collaboration with  
5                   public or private entities, carry out device loan  
6                   programs that support the short-term loan of  
7                   assistive technology devices to individuals, em-  
8                   ployers, public agencies, public accommodations,  
9                   or others seeking to meet the needs of targeted  
10                  individuals, in order to comply with the Individ-  
11                  uals with Disabilities Education Act, the Ameri-  
12                  cans with Disabilities Act of 1990, and section  
13                  504 of the Rehabilitation Act of 1973.

14                  “(C) DEVICE REUTILIZATION PRO-  
15                  GRAMS.—The State shall directly, or in collabo-  
16                  ration with public or private entities, carry out  
17                  assistive technology device reutilization pro-  
18                  grams that provide for the exchange, recycling,  
19                  or other reutilization of assistive technology de-  
20                  vices, which may include redistribution through  
21                  device and equipment loans, rentals, or gifts.

22                  “(D) DEVICE DEMONSTRATION PRO-  
23                  GRAM.—The State shall directly, or in collabo-  
24                  ration with public or private entities, carry out  
25                  assistive technology device demonstration pro-



1           grams that provide for the ability of targeted  
2           individuals to learn about the use and operation  
3           of assistive technology devices.

4           “(3) STATE LEADERSHIP ACTIVITIES.—

5                 “(A) IN GENERAL.—Any State that re-  
6           ceives a grant under this section may use up to  
7           40 percent of the funds made available through  
8           the grant to carry out the activities described in  
9           subparagraph (B).

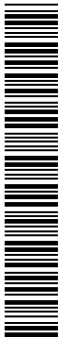
10               “(B) REQUIRED ACTIVITIES.—The State  
11           shall support—

12                 “(i) public awareness activities de-  
13           signed to provide information to targeted  
14           individuals relating to the availability and  
15           benefits of assistive technology devices and  
16           assistive technology services, including—

17                 “(I) the development and dis-  
18           semination of information relating  
19           to—

20                 “(aa) the nature of assistive  
21           technology devices and assistive  
22           technology services;

23                 “(bb) the appropriateness  
24           of, cost of, availability of, evalua-  
25           tion of, and access to, assistive

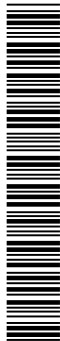


1 technology devices and assistive  
2 technology services; and

3 “(cc) the benefits of assist-  
4 ive technology devices and assist-  
5 ive technology services with re-  
6 spect to enhancing the capacity  
7 of individuals with disabilities of  
8 all ages to perform activities of  
9 daily living;

10 “(II) the development of proce-  
11 dures for providing direct communica-  
12 tion between providers of assistive  
13 technology and targeted individuals,  
14 which may include partnerships with  
15 the State and local workforce invest-  
16 ment system established under the  
17 Workforce Investment Act of 1998,  
18 State vocational rehabilitation centers,  
19 public and private employers, or ele-  
20 mentary and secondary public schools;  
21 and

22 “(III) the development and dis-  
23 semination, to targeted individuals, of  
24 information about State efforts re-  
25 lated to assistive technology; and



1 “(IV) the distribution of mate-  
2 rials to appropriate public and private  
3 agencies that provide social, medical,  
4 educational, employment, and trans-  
5 portation services to individuals with  
6 disabilities.

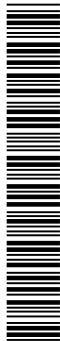
7 “(ii) technical assistance and training  
8 on—

9 “(I) the development of training  
10 materials and the conduct of training  
11 in the use of assistive technology de-  
12 vices and assistive technology services;

13 “(II) providing technical assist-  
14 ance, including technical assistance  
15 concerning how—

16 “(aa) to consider the needs  
17 of an individual with a disability  
18 for assistive technology devices  
19 and assistive technology services  
20 in developing any individualized  
21 plan or program authorized  
22 under Federal or State law; and

23 “(bb) to increase consumer  
24 participation regarding assistive



1 technology devices and assistive  
2 technology services; and

3 “(III) the enhancement of the as-  
4 sistive technology skills and com-  
5 petencies of—

6 “(aa) individuals who work  
7 for public or private entities (in-  
8 cluding insurers and managed  
9 care providers), who have contact  
10 with individuals with disabilities;

11 “(bb) educators and related  
12 services personnel;

13 “(cc) technology experts (in-  
14 cluding engineers);

15 “(dd) health and allied  
16 health professionals;

17 “(ee) employers; and

18 “(ff) other appropriate per-  
19 sonnel; and

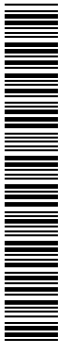
20 “(iii) outreach and support to state-  
21 wide and community-based organizations  
22 that provide assistive technology devices  
23 and assistive technology services to individ-  
24 uals with disabilities or that assist individ-  
25 uals with disabilities in using assistive





1 technology devices and assistive technology  
2 services, including a focus on organizations  
3 assisting individuals from underrep-  
4 resented populations and rural populations,  
5 and further including support such as out-  
6 reach to consumer organizations and  
7 groups in the State to coordinate efforts to  
8 assist individuals with disabilities of all  
9 ages and their family members, guardians,  
10 advocates, or authorized representatives, to  
11 obtain funding for, access to, and informa-  
12 tion on evaluation of assistive technology  
13 devices and assistive technology services.

14 “(C) AUTHORIZED ACTIVITIES.—The State  
15 may support the operation and administration  
16 of the activities in paragraph (2), through inter-  
17 agency coordination to develop and promote the  
18 adoption of policies that improve access to as-  
19 sistive technology devices and assistive tech-  
20 nology services for individuals with disabilities  
21 of all ages in the State and that result in im-  
22 proved coordination among public and private  
23 entities that are responsible or have the author-  
24 ity to be responsible, for policies, procedures, or  
25 funding for, or the provision of assistive tech-



1           nology devices and assistive technology services  
2           to, such individuals.

3           “(4) INDIRECT COSTS.—Not more than 10 per-  
4           cent of the funds made available through a grant to  
5           a State under this section may be used for indirect  
6           costs.

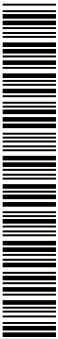
7           “(c) AMOUNT OF FINANCIAL ASSISTANCE.—

8           “(1) GRANTS TO OUTLYING AREAS.—From the  
9           funds appropriated under section 8(a) and available  
10          under section 8(b)(3) for any fiscal year for grants  
11          under this section, the Secretary shall make a grant  
12          in an amount of not more than \$105,000 to each eli-  
13          gible outlying area.

14          “(2) GRANTS TO STATES.—From the funds de-  
15          scribed in paragraph (1) that are not used to make  
16          grants under paragraph (1), the Secretary shall  
17          make grants to States in accordance with the re-  
18          quirements described in paragraph (3).

19          “(3) CALCULATION OF STATE GRANTS.—

20                 “(A) IN GENERAL.—Except as provided in  
21                 subparagraph (B), the Secretary shall allocate  
22                 funds to each State for a fiscal year in an  
23                 amount that bears the same ratio as the popu-  
24                 lation of the State bears to the population of all  
25                 States.



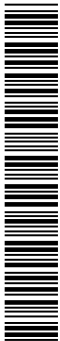
1           “(B) MINIMUM ALLOTMENT.—A State  
2 shall receive an amount under a grant for a fis-  
3 cal year that is not less than the amount the  
4 State received under the grant provided under  
5 title I of this Act (as in effect on the day before  
6 the date of the enactment of the Improving Ac-  
7 cess to Assistive Technology for Individuals  
8 with Disabilities Act of 2004) for fiscal year  
9 2004.

10           “(C) RATABLE REDUCTIONS.—

11           “(i) IN GENERAL.—If amounts made  
12 available under section 8(b)(3) for any fis-  
13 cal year are insufficient to meet the min-  
14 imum allotment requirement for each State  
15 under subparagraph (B) for such fiscal  
16 year, the Secretary shall ratably reduce  
17 such amounts for such fiscal year.

18           “(ii) ADDITIONAL FUNDS.—If addi-  
19 tional funds become available for making  
20 payments described under this subsection  
21 for any such fiscal year, the amounts that  
22 were reduced under clause (i) shall be in-  
23 creased on the same basis as such amounts  
24 were reduced.

25           “(d) LEAD AGENCY.—



1           “(1) DESIGNATION.—To be eligible to receive a  
2           grant under this section, the Governor of the State  
3           shall designate in accordance with paragraph (2) a  
4           lead agency to administer the grant under this sec-  
5           tion.

6           “(2) ELIGIBLE ENTITIES.—For purposes of  
7           paragraph (1), the Governor of the State may des-  
8           ignate one of the following:

9                   “(A) The State agency responsible for the  
10           administration of vocational rehabilitation in  
11           the State.

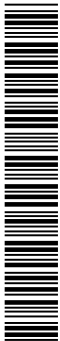
12                   “(B) A commission, council, or other offi-  
13           cial body appointed by the Governor.

14                   “(C) A public-private partnership or con-  
15           sortium.

16                   “(D) A public agency (including the office  
17           of the Governor, a State oversight office, a  
18           State agency, a public institution of higher edu-  
19           cation, or other public entity).

20                   “(E) A council established under Federal  
21           or State law.

22                   “(F) An organization described in section  
23           501(c)(3) of Internal Revenue Code of 1986  
24           and exempt from tax under section 501(a) of  
25           that Act.



1           “(G) Another appropriate office, agency,  
2           entity, or organization.

3           “(3) DUTIES OF THE LEAD AGENCY.—The du-  
4           ties of the lead agency shall include—

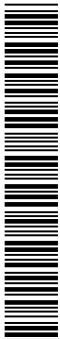
5           “(A) submitting the application described  
6           in subsection (e) on behalf of the State;

7           “(B) administering and supervising the use  
8           of amounts made available under the grant re-  
9           ceived by the State under this section;

10          “(C)(i) coordinating efforts related to, and  
11          supervising the preparation of, the application  
12          described in subsection (e);

13          “(ii) coordinating, maintaining, and evalu-  
14          ating the comprehensive statewide program of  
15          technology-related assistance among public  
16          agencies and between public agencies and pri-  
17          vate entities, including coordinating efforts re-  
18          lated to entering into interagency agreements;  
19          and

20          “(iii) coordinating efforts, especially efforts  
21          carried out with entities that provide protection  
22          and advocacy services described in section 5, re-  
23          lated to the active, timely, and meaningful par-  
24          ticipation by individuals with disabilities and  
25          their family members, guardians, advocates, or

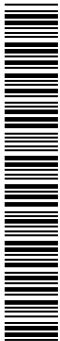


1 authorized representatives, and other appro-  
2 priate individuals, with respect to activities car-  
3 ried out under the grant;

4 “(D) delegating, in whole or in part, any  
5 responsibilities described in subparagraph (A),  
6 (B), or (C) to one or more appropriate offices,  
7 agencies, entities, or individuals; and

8 “(E) establishing a partnership or partner-  
9 ships with private providers of social, medical,  
10 educational, employment, and transportation  
11 services to individuals with disabilities.

12 “(4) CHANGE IN LEAD AGENCY.—The Governor  
13 may change the lead agency of the State (to an  
14 agency other than the lead agency of the State as  
15 of the date of the enactment of the Improving Ac-  
16 cess to Assistive Technology for Individuals with  
17 Disabilities Act of 2004) if the Governor provides a  
18 justification in the application to the Secretary for  
19 such action. Nothing in this subsection shall be con-  
20 strued to require the Governor of a State to change  
21 the lead agency of the State to an agency other than  
22 the lead agency of such State as of the date of the  
23 enactment of the Improving Access to Assistive  
24 Technology for Individuals with Disabilities Act of  
25 2004.



1 “(e) STATE APPLICATION.—

2 “(1) SUBMISSION.—Any State that desires to  
3 receive a grant under this section shall submit to the  
4 Secretary an application at such time and in such  
5 manner as the Secretary may specify.

6 “(2) CONTENT.—Each application shall con-  
7 tain, at a minimum, the following information:

8 “(A) PLANNED ACTIVITIES.—A description  
9 of those activities described in subsection (b)(2)  
10 that the State will carry out under the grant.

11 “(B) MEASURABLE GOALS.—A description  
12 of—

13 “(i) the measurable goals the State  
14 has set for addressing the assistive tech-  
15 nology needs of individuals with disabilities  
16 in the State, including any measurable  
17 goals, and a timeline for meeting such  
18 goals, related to—

19 “(I) education, including goals  
20 involving the provision of assistive  
21 technology to individuals with disabili-  
22 ties that receive services under the  
23 Individuals with Disabilities Edu-  
24 cation Act;



1                   “(II) employment, including  
2                   goals involving the State vocational  
3                   rehabilitation program carried out  
4                   under title I of the Rehabilitation Act  
5                   of 1973;

6                   “(III) telecommunication and in-  
7                   formation technology; and

8                   “(IV) community living; and

9                   “(ii) how the State will quantifiably  
10                  measure the goals to determine whether  
11                  the goals have been achieved.

12                  “(C) INVOLVEMENT OF INDIVIDUALS WITH  
13                  DISABILITIES OF ALL AGES AND THEIR FAMI-  
14                  LIES.—A description of how individuals with  
15                  disabilities of all ages and their families—

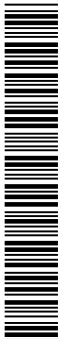
16                  “(i) were involved in selecting—

17                         “(I) the goals;

18                         “(II) the activities to be under-  
19                         taken in achieving the goals; and

20                         “(III) the measures to be used in  
21                         judging if the goals have been  
22                         achieved; and

23                         “(ii) will be involved in measuring  
24                         whether the goals have been achieved.





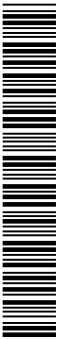
1           “(D) STATE SUPPORT.—A description of  
2           those activities described in subsection (b)(2)  
3           that the State will support under the grant, in-  
4           cluding at a minimum the State’s plans to pro-  
5           vide sufficient financial support, through Fed-  
6           eral or State resources, for the activities de-  
7           scribed in subparagraphs (A) and (B) of such  
8           subsection.

9           “(E) ASSURANCE.—An assurance that the  
10          physical location of the entity responsible for  
11          conducting the State activities under this Act  
12          meets the requirements of the Americans with  
13          Disabilities Act of 1990 regarding accessibility  
14          for individuals with disabilities.

15          “(F) OTHER INFORMATION.—Such other  
16          information as the Secretary may reasonably  
17          require.

18   **“SEC. 5. GRANTS TO STATES FOR PROTECTION AND ADVO-**  
19                   **CACY RELATED TO ASSISTIVE TECHNOLOGY.**

20          “(a) GRANTS TO STATES.—The Secretary shall make  
21          a grant to an entity in each State to support protection  
22          and advocacy services through the systems established to  
23          provide protection and advocacy services under the Devel-  
24          opmental Disabilities Assistance and Bill of Rights Act  
25          (42 U.S.C. 6000 et seq.) for the purposes of assisting in



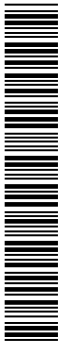
1 the acquisition, utilization, or maintenance of assistive  
2 technology or assistive technology services for individuals  
3 with disabilities.

4 “(b) AMOUNT OF FINANCIAL ASSISTANCE.—

5 “(1) GRANTS TO OUTLYING AREAS AND AMER-  
6 ICAN INDIAN CONSORTIUM.—

7 “(A) OUTLYING AREAS.—From the funds  
8 appropriated under section 8(a) and reserved  
9 under section 8(b)(1) for any fiscal year, the  
10 Secretary shall make a grant in an amount of  
11 not more than \$30,000 to each eligible system  
12 within an outlying area.

13 “(B) AMERICAN INDIAN CONSORTIUM.—  
14 From the funds appropriated under section 8(a)  
15 and reserved under section 8(b)(1) for any fis-  
16 cal year, the Secretary shall make a grant in an  
17 amount of not more than \$30,000 to the Amer-  
18 ican Indian Consortium to provide services in  
19 the same manner as an eligible system de-  
20 scribed under this section. If the amount re-  
21 served under section 8(b)(1) for a fiscal year  
22 exceeds the amount reserved under such section  
23 for the preceding fiscal year, then the amount  
24 referred to in the preceding sentence shall be  
25 increased for such fiscal year by the same per-



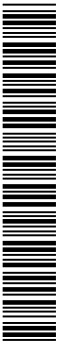
1           centage as such amount reserved under section  
2           8(b)(1) exceeds the amount reserved under such  
3           section for the preceding fiscal year.

4           “(2) GRANTS TO STATES.—For any fiscal year,  
5           after reserving funds to make grants under para-  
6           graph (1), the Secretary shall make allotments from  
7           the remainder of the funds in accordance with para-  
8           graph (3) to eligible systems within States to sup-  
9           port protection and advocacy services as described in  
10          subsection (a). The Secretary shall make grants to  
11          the eligible systems from the allotments.

12          “(3) SYSTEMS WITHIN STATES.—

13                 “(A) POPULATION BASIS.—Except as pro-  
14                 vided in subparagraph (B), from such remain-  
15                 der for each fiscal year, the Secretary shall  
16                 make an allotment to the eligible system within  
17                 a State of an amount bearing the same ratio to  
18                 such remainder as the population of the State  
19                 bears to the population of all States.

20                 “(B) MINIMUMS.—Subject to the avail-  
21                 ability of appropriations to carry out this sec-  
22                 tion, the allotment to any system under sub-  
23                 paragraph (A) shall be not less than \$50,000,  
24                 and the allotment to any system under this



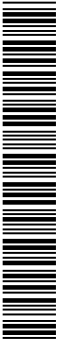
1 paragraph for any fiscal year that is less than  
2 \$50,000 shall be increased to \$50,000.

3 “(4) REALLOTMENT.—Whenever the Secretary  
4 determines that any amount of an allotment under  
5 paragraph (3) to a system within a State for any fis-  
6 cal year will not be expended by such system in car-  
7 rying out the provisions of this section, the Sec-  
8 retary shall make such amount available for carrying  
9 out the provisions of this section to all other systems  
10 in the same proportion such amounts were first allo-  
11 cated to such systems.

12 “(5) CARRYOVER.—Any amount paid to an eli-  
13 gible system for a fiscal year under this section that  
14 remains unobligated at the end of such fiscal year  
15 shall remain available to such system for obligation  
16 during the subsequent fiscal year.

17 “(c) REPORT TO SECRETARY.—An entity that re-  
18 ceives a grant under this section shall annually prepare  
19 and submit to the Secretary a report that contains such  
20 information as the Secretary may require, including docu-  
21 mentation of the progress of the entity in—

22 “(1) conducting consumer-responsive activities,  
23 including activities that will lead to increased access,  
24 for individuals with disabilities, to funding for assist-



1       ive technology devices and assistive technology serv-  
2       ices;

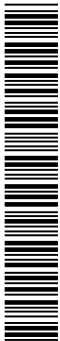
3           “(2) engaging in informal advocacy to assist in  
4       securing assistive technology and assistive tech-  
5       nology services for individuals with disabilities;

6           “(3) engaging in formal representation for indi-  
7       viduals with disabilities to secure systems change,  
8       and in advocacy activities to secure assistive tech-  
9       nology and assistive technology services for individ-  
10      uals with disabilities;

11          “(4) developing and implementing strategies to  
12      enhance the long-term abilities of individuals with  
13      disabilities and their family members, guardians, ad-  
14      vocates, and authorized representatives to advocate  
15      the provision of assistive technology devices and as-  
16      sistive technology services to which the individuals  
17      with disabilities are entitled under law other than  
18      this Act; and

19          “(5) coordinating activities with protection and  
20      advocacy services funded through sources other than  
21      this Act, and coordinating activities with the capac-  
22      ity building and advocacy activities carried out by  
23      the lead agency.

24          “(d) REPORTS AND UPDATES TO STATE AGEN-  
25      CIES.—An entity that receives a grant under this section



1 shall prepare and submit to the lead agency the report  
2 described in subsection (c) and quarterly updates con-  
3 cerning the activities described in subsection (c).

4 “(e) COORDINATION.—On making a grant under this  
5 section to an entity in a State, the Secretary shall solicit  
6 and consider the opinions of the lead agency of the State  
7 designated under section 4(d) with respect to efforts at  
8 coordination, collaboration, and promoting outcomes be-  
9 tween the lead agency and the entity that receives the  
10 grant under this section.

11 **“SEC. 6. ADMINISTRATIVE PROVISIONS.**

12 “(a) GENERAL ADMINISTRATION.—Notwithstanding  
13 any other provision of law, the Rehabilitation Services Ad-  
14 ministration in the Office of Special Education and Reha-  
15 bilitative Services of the Department of Education shall  
16 be responsible for the administration of this Act.

17 “(b) REVIEW OF PARTICIPATING ENTITIES.—

18 “(1) IN GENERAL.—The Secretary shall assess  
19 the extent to which entities that receive grants pur-  
20 suant to this Act are complying with the applicable  
21 requirements of this Act and achieving the quantifi-  
22 able, measurable goals that are consistent with the  
23 requirements of the grant programs under which the  
24 entities applied for the grants.



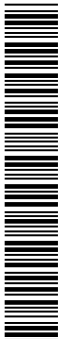
1           “(2) PROVISION OF INFORMATION.—To assist  
2           the Secretary in carrying out the responsibilities of  
3           the Secretary under this section, the Secretary may  
4           require States to provide relevant information, in-  
5           cluding the information required under subsection  
6           (d).

7           “(c) CORRECTIVE ACTION AND SANCTIONS.—

8           “(1) CORRECTIVE ACTION.—If the Secretary  
9           determines that an entity fails to substantially com-  
10          ply with the requirements of this Act or to substan-  
11          tially make progress towards meeting the goals es-  
12          tablished under section 4(e)(2)(B) with respect to a  
13          grant program, the Secretary shall assist the entity  
14          through technical assistance funded under section 7  
15          or other means, within 90 days after such deter-  
16          mination, to develop a corrective action plan.

17          “(2) SANCTIONS.—An entity that fails to de-  
18          velop and comply with a corrective action plan as de-  
19          scribed in paragraph (1) during a fiscal year shall  
20          be subject to one of the following corrective actions  
21          selected by the Secretary:

22                 “(A) Partial or complete withholding of  
23                 funds under the grant program until such plan  
24                 is developed and implemented.



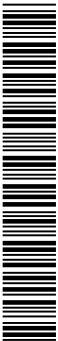
1           “(B) Reduction in the amount of funding  
2           that may be used for indirect costs under sec-  
3           tion 4(b)(4) for the following year under the  
4           grant program.

5           “(C) Required redesignation of the lead  
6           agency designated under section 4(d) or an en-  
7           tity responsible for administering the grant pro-  
8           gram.

9           “(3) APPEALS PROCEDURES.—The Secretary  
10          shall establish appeals procedures for entities that  
11          are found to be in noncompliance with the require-  
12          ments of this Act or have not substantially made  
13          progress towards meeting the goals established  
14          under section 4(e)(2)(B).

15          “(4) SECRETARIAL ACTION.—As part of the an-  
16          nual report required under subsection (d), the Sec-  
17          retary shall describe each such action taken under  
18          paragraph (1) or (2) and the outcomes of each such  
19          action.

20          “(5) PUBLIC NOTIFICATION.—The Secretary  
21          shall notify the public by posting on the Internet  
22          website of the Department of Education of each ac-  
23          tion taken by the Secretary under paragraph (1) or  
24          (2). As a part of such notification, the Secretary  
25          shall describe each such action taken under para-





1 graph (1) or (2) and the outcomes of each such ac-  
2 tion.

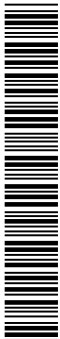
3 “(d) ANNUAL REPORT.—

4 “(1) IN GENERAL.—Not later than December  
5 31 of each year, the Secretary shall prepare, and  
6 submit to the President and to the Committee on  
7 Education and the Workforce of the House of Rep-  
8 resentatives and the Committee on Health, Edu-  
9 cation, Labor, and Pensions of the Senate, a report  
10 on the activities funded under this Act to improve  
11 the access of individuals with disabilities to assistive  
12 technology devices and assistive technology services.

13 “(2) CONTENTS.—Such report shall include in-  
14 formation on—

15 “(A) the type of alternative financing  
16 mechanisms used by each State and the com-  
17 munity-based organization with which each  
18 State entered into a contract, under the pro-  
19 gram;

20 “(B) the amount and type of assistance  
21 given to consumers (who shall be classified by  
22 age, type of disability, type of assistive tech-  
23 nology device or assistive technology service fi-  
24 nanced through the program, geographic dis-  
25 tribution within the State, gender, and whether



1 the consumers are part of an underrepresented  
2 population or rural population), including—

3 “(i) the number of applications for as-  
4 sistance received;

5 “(ii) the number of applications ap-  
6 proved and rejected;

7 “(iii) the default rate;

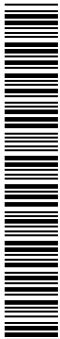
8 “(iv) the range and average interest  
9 rate;

10 “(v) the range and average income of  
11 approved loan applicants; and

12 “(vi) the types and dollar amounts of  
13 assistive technology financed;

14 “(C) the number, type, and length of time  
15 of loans of assistive technology devices provided  
16 to individuals with disabilities, employers, public  
17 agencies, or public accommodations, including an  
18 analysis of the individuals with disabilities who  
19 have benefited from the device loan program;

20 “(D) the number, type, estimated value,  
21 and scope of device reutilization programs, in-  
22 cluding an analysis of the individuals with dis-  
23 abilities that have benefited from the device  
24 loan program;



1           “(E) the number and type of equipment  
2           demonstrations provided, including an analysis  
3           of individuals with disabilities who have bene-  
4           fited from the program;

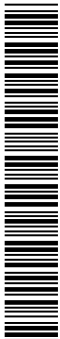
5           “(F) a summary of the State plans and  
6           annual reports submitted by the States, includ-  
7           ing an analysis of the progress of the States in  
8           meeting their goals established in the State ap-  
9           plication;

10          “(G) the number of individuals who re-  
11          ceived training and the topics of such training;

12          “(H) the frequency and nature of technical  
13          assistance provided to State and local govern-  
14          mental agencies and other entities; and

15          “(I) the outcomes of interagency coordina-  
16          tion and collaboration activities carried out by  
17          the State, as applicable, that support access to  
18          assistive technology including the type, purpose,  
19          and source of leveraged funding or other con-  
20          tributed resources from public and private enti-  
21          ties.

22          “(e) EFFECT ON OTHER ASSISTANCE.—This Act  
23          may not be construed as authorizing a Federal or a State  
24          agency to reduce medical or other assistance available, or



1 to alter eligibility for a benefit or service, under any other  
2 Federal law.

3 **“SEC. 7. NATIONAL ACTIVITIES.**

4 “(a) IN GENERAL.—Through grants, contracts, or  
5 cooperative agreements, awarded on a competitive basis,  
6 the Secretary is authorized to provide technical assistance  
7 to entities, principally entities funded under section 4 or  
8 5.

9 “(b) INPUT.—In designing the program to be funded  
10 under this section, and in deciding the differences in func-  
11 tion between national and regionally based technical as-  
12 sistance efforts carried out through the program, the Sec-  
13 retary shall consider the input of the directors of com-  
14 prehensive statewide programs of technology-related as-  
15 sistance and other individuals the Secretary determines to  
16 be appropriate, especially—

17 “(1) individuals with disabilities who use assist-  
18 ive technology and understand the barriers to the ac-  
19 quisition of such technology and assistive technology  
20 services;

21 “(2) family members, guardians, advocates, and  
22 authorized representatives of such individuals; and

23 “(3) individuals employed by protection and ad-  
24 vocacy systems funded under section 5.



1       “(c) AUTHORIZED ACTIVITIES.—The Secretary shall  
2 support activities designed to maximize the impact and  
3 benefit of assistive technology devices and assistive tech-  
4 nology services for individuals with disabilities, including  
5 the following activities:

6           “(1) NATIONAL PUBLIC INTERNET SITE.—

7           “(A) ESTABLISHMENT OF INTERNET  
8 SITE.—The Secretary shall fund the establish-  
9 ment and maintenance of a National Public  
10 Internet Site for the purposes of providing to  
11 individuals with disabilities and the general  
12 public technical assistance and information on  
13 increased access to assistive technology devices,  
14 assistive technology services, and other dis-  
15 ability-related resources.

16           “(B) ELIGIBLE ENTITY.—To be eligible to  
17 receive a grant or enter into a contract or coop-  
18 erative agreement under subsection (a) to es-  
19 tablish and maintain the Internet site, an entity  
20 shall be an institution of higher education that  
21 emphasizes research and engineering, has a  
22 multidisciplinary research center, and has dem-  
23 onstrated expertise in—



1 “(i) working with assistive technology  
2 and intelligent agent interactive informa-  
3 tion dissemination systems;

4 “(ii) managing libraries of assistive  
5 technology and disability-related resources;

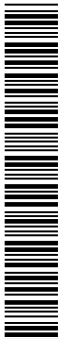
6 “(iii) delivering education, informa-  
7 tion, and referral services to individuals  
8 with disabilities, including technology-  
9 based curriculum development services for  
10 adults with low-level reading skills;

11 “(iv) developing cooperative partner-  
12 ships with the private sector, particularly  
13 with private sector computer software,  
14 hardware, and Internet services entities;  
15 and

16 “(v) developing and designing ad-  
17 vanced Internet sites.

18 “(C) FEATURES OF INTERNET SITE.—The  
19 National Public Internet Site described in sub-  
20 paragraph (A) shall contain the following fea-  
21 tures:

22 “(i) AVAILABILITY OF INFORMATION  
23 AT ANY TIME.—The site shall be designed  
24 so that any member of the public may ob-



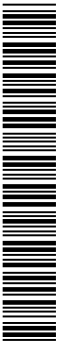
1           tain information posted on the site at any  
2           time.

3                   “(ii) INNOVATIVE AUTOMATED INTEL-  
4           LIGENT AGENT.—The site shall be con-  
5           structed with an innovative automated in-  
6           telligent agent that is a diagnostic tool for  
7           assisting users in problem definition and  
8           the selection of appropriate assistive tech-  
9           nology devices and assistive technology  
10          services resources.

11                   “(iii) RESOURCES.—

12                           “(I) LIBRARY ON ASSISTIVE  
13           TECHNOLOGY.—The site shall include  
14           access to a comprehensive working li-  
15           brary on assistive technology for all  
16           environments, including home, work-  
17           place, transportation, and other envi-  
18           ronments.

19                           “(II) RESOURCES FOR A NUMBER  
20           OF DISABILITIES.—The site shall in-  
21           clude resources relating to the largest  
22           possible number of disabilities, includ-  
23           ing resources relating to low-level  
24           reading skills.



1 “(iv) LINKS TO PRIVATE SECTOR RE-  
2 SOURCES AND INFORMATION.—To the ex-  
3 tent feasible, the site shall be linked to rel-  
4 evant private sector resources and informa-  
5 tion, under agreements developed between  
6 the institution of higher education and co-  
7 operating private sector entities.

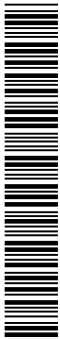
8 “(D) MINIMUM LIBRARY COMPONENTS.—  
9 At a minimum, the Internet site shall maintain  
10 updated information on—

11 “(i) how to plan, develop, implement,  
12 and evaluate activities to further extend  
13 comprehensive statewide programs of tech-  
14 nology-related assistance, including the de-  
15 velopment and replication of effective ap-  
16 proaches to—

17 “(I) providing information and  
18 referral services;

19 “(II) promoting interagency co-  
20 ordination of training and service de-  
21 livery among public and private enti-  
22 ties;

23 “(III) conducting outreach to  
24 underrepresented populations and  
25 rural populations;





1 “(IV) mounting successful public  
2 awareness activities;

3 “(V) improving capacity building  
4 in service delivery;

5 “(VI) training personnel from a  
6 variety of disciplines; and

7 “(VII) improving evaluation  
8 strategies, research, and data collec-  
9 tion;

10 “(ii) effective approaches to the devel-  
11 opment of consumer-controlled systems  
12 that increase access to, funding for, and  
13 awareness of, assistive technology devices  
14 and assistive technology services;

15 “(iii) successful approaches to increas-  
16 ing the availability of public and private  
17 funding for and access to the provision of  
18 assistive technology devices and assistive  
19 technology services by appropriate State  
20 agencies; and

21 “(iv) demonstration sites where indi-  
22 viduals may try out assistive technology.

23 “(2) TECHNICAL ASSISTANCE EFFORTS.—The  
24 Secretary shall, on a competitive basis, make grants



1 to, or enter into cooperative agreements with, eligi-  
2 ble entities—

3 “(A) to address State-specific information  
4 requests concerning assistive technology from  
5 other entities funded under this Act and public  
6 entities not funded under this Act, including—

7 “(i) requests for state-of-the-art, or  
8 model, Federal, State, and local laws, regu-  
9 lations, policies, practices, procedures, and  
10 organizational structures, that facilitate,  
11 and overcome barriers to, funding for, and  
12 access to, assistive technology devices and  
13 assistive technology services;

14 “(ii) requests for examples of policies,  
15 practices, procedures, regulations, or  
16 judicial decisions that have enhanced or  
17 may enhance access to funding for assist-  
18 ive technology devices and assistive tech-  
19 nology services for individuals with disabil-  
20 ities;

21 “(iii) requests for information on ef-  
22 fective approaches to Federal-State coordi-  
23 nation of programs for individuals with  
24 disabilities, related to improving funding  
25 for or access to assistive technology devices



1 and assistive technology services for indi-  
2 viduals with disabilities of all ages;

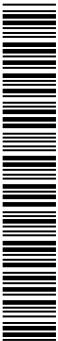
3 “(iv) requests for information on ef-  
4 fective approaches to the development of  
5 consumer-controlled systems that increase  
6 access to, funding for, and awareness of,  
7 assistive technology devices and assistive  
8 technology services;

9 “(v) other requests for technical as-  
10 sistance from other entities funded under  
11 this Act and public entities not funded  
12 under this Act; and

13 “(vi) other assignments specified by  
14 the Secretary, including assisting entities  
15 described in section 6(b) to develop correc-  
16 tive action plans; and

17 “(B) to assist targeted individuals by dis-  
18 seminating information about—

19 “(i) Federal, State, and local laws,  
20 regulations, policies, practices, procedures,  
21 and organizational structures, that facili-  
22 tate, and overcome barriers to, funding for,  
23 and access to, assistive technology devices  
24 and assistive technology services, to pro-  
25 mote fuller independence, productivity, and



1 inclusion in society for individuals with dis-  
2 abilities of all ages; and

3 “(ii) technical assistance activities un-  
4 dertaken under subparagraph (A).

5 “(d) ELIGIBLE ENTITIES.—To be eligible to compete  
6 for grants, contracts, and cooperative agreements under  
7 this section, entities shall have documented experience  
8 with and expertise in assistive technology service delivery  
9 or systems, interagency coordination, and capacity build-  
10 ing and advocacy activities.

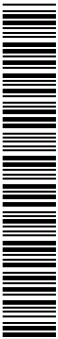
11 “(e) APPLICATION.—To be eligible to receive a grant,  
12 contract, or cooperative agreement under this section, an  
13 entity shall submit an application to the Secretary at such  
14 time, in such manner, and containing such information as  
15 the Secretary may require.

16 **“SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

17 “(a) IN GENERAL.—There are authorized to be ap-  
18 propriated to carry out this Act such sums as may be nec-  
19 essary for each of fiscal years 2005 through 2010.

20 “(b) ALLOCATION OF FUNDS.—Of the amount appro-  
21 priated pursuant to the authorization of appropriations  
22 under subsection (a) for a fiscal year—

23 “(1) \$4,419,000 shall be reserved to provide  
24 grants under section 5, except that such amount  
25 shall be increased by the lesser of—



1           “(A) the percentage increase, if any, from  
2           the preceding fiscal year in the allocation under  
3           this subsection; and

4           “(B) the percentage increase, if any, from  
5           the preceding fiscal year in the Consumer Price  
6           Index For All Urban Consumers published by  
7           the Bureau of Labor Statistics of the Depart-  
8           ment of Labor;

9           “(2) \$1,235,000 shall be reserved to provide  
10          grants under section 7; and

11          “(3) the remainder shall be used to provide  
12          grants under section (4).”.

